

FILED IN CHAMBERS

United States District Court

U.S.D.C. Atlanta

ORIGINAL

NORTHERN DISTRICT OF GEORGIA

FEB 17 2006

By: LUTHER D. THOMAS, Clerk

Deputy Clerk

CRIMINAL COMPLAINT

UNITED STATES OF AMERICA

v.

PATRICK J. LEE

CASE NUMBER: 1:06-MJ-216

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 16, 2006, in Fulton County, in the Northern District of Georgia defendant(s),

in violation of a statute or rule, provided to an inmate of a federal prison a prohibited object

in violation of Title 18 United States Code, Section(s) 1791(a).


I further state that I am a(n) Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

Please see attached affidavit.

Continued on the attached sheet and made a part hereof.

(X) Yes

() No


Signature of Complainant
RAY E. JOHNSON

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

FEBRUARY 17, 2006

Date

at

ATLANTA, GEORGIA

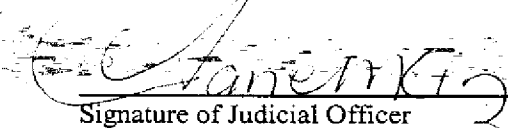
City and State

JANET F. KING

United States Magistrate Judge

Name and Title of Judicial Officer

AUSA GLENN D. BAKER/404-581-6264


Signature of Judicial Officer

AFFIDAVIT

I, Ray E. Johnson, being duly sworn, depose and state the following:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) and have been so employed since April of 2004. Prior to my service with the FBI, I was employed as a police officer in the State of Ohio for approximately 9 years. I am currently assigned to the Atlanta, Georgia field office and work on the Violent Crimes/Major Offenders Squad, which has the responsibility for investigating, among other things, criminal violations that occur at the United States Penitentiary, Atlanta.

2. The following information has been derived from investigation personally conducted by the affiant and based on investigative information received from other law enforcement agents and officers.

3. The U.S. Penitentiary is a facility operated by the United States Department of Justice, Bureau of Prisons and is located in the Northern District of Georgia.

4. U.S. Penitentiary, Atlanta, general population inmates are permitted to have contact visitation during scheduled hours on specified days. All visitors must secure personal belongings in locking lockers, which are located in the lobby area of the west penitentiary entrance. Prior to any visit, each person must pass through a metal detector and allow a search of their person and outer garments. Large

1 signs are clearly visible to all entrants, indicating that no
2 person shall attempt to bring outside contraband, including
3 narcotics anywhere onto or inside the U.S. Penitentiary
4 compound. Each visitor must also sign an acknowledgment that
5 no contraband items, such as narcotics, shall be brought onto
6 or inside the institution.

7 5. On Thursday, February 16, 2006, at
8 approximately 12:30 p.m., a visitor to the Atlanta U.S.
9 Penitentiary attempted to provide narcotics to an inmate
10 during a scheduled visitation. After signing all entrance
11 documents, the visitor, identified as PATRICK LEE, triggered
12 the metal detector alarm as he was escorted into the
13 visitation area. The U.S. Penitentiary officer asked LEE to
14 remove any and all items from his pockets. LEE removed a
15 large napkin from the side pocket of his pants. The officer
16 told LEE that no napkins, tissues or other items are
17 permissible inside the penitentiary. LEE stated that he
18 needed to use the restroom. He was observed going to the
19 restroom, opening the napkin, and removing an unidentified
20 substance. After a few moments, LEE returned and was then
21 escorted to the general population visitation area. Because
22 of his suspicious actions, officers kept him under close
23 surveillance.

24 6. Upon arrival at the visitation area, LEE went
25 directly to the restroom. After a short time, LEE exited the
26 restroom and walked towards the vending machines that were
27 located inside the visitation room. After getting a bag of
28 potato chips from the vending machine, LEE went to the

1 restroom for a third time. On this visit, he carried the bag
2 of potato chips with him. After a few more minutes in the
3 restroom, LEE exited, carrying the now opened bag of potato
4 chips. He walked towards the waiting area and sat in a
5 chair. LEE folded the top of the potato chip bag and placed
6 it on the table next to his chair.

7 LEE waited for approximately 20 minutes before the
8 inmate whom he wanted to see arrived in the waiting room.
9 While he waited, LEE did not touch the opened bag of potato
10 chips. The inmate, identified as LANTIS YOUNG, approached
11 and acknowledged LEE. LEE handed YOUNG the opened bag of
12 potato chips. Inmate YOUNG took the bag, unfolded it and
13 took a single potato chip from the bag. Officers then
14 escorted inmate YOUNG and LEE to separate rooms, away from
15 the waiting area. The bag of potato chips was then taken
16 from inmate YOUNG.

17 6. Eighteen small balloons were discovered inside
18 the potato chip bag. Several of the balloons contained a
19 white powdery substance consistent with the physical
20 appearance of heroin. The other balloons contained a green,
21 leafy substance consistent with the physical appearance of
22 marijuana. Preliminary tests indicate that the balloons
23 contained both heroin and marijuana.

24 7. The visitor was fully identified as PATRICK
25 LEE, Date of Birth (DOB) January [REDACTED] (29 years old),
26 Social Security Account Number (SSAN) [REDACTED]-5799. LEE is a
27 black male who is 5'10" tall and weighs approximately 170
28 pounds.

1 8. An NCIC criminal database search for PATRICK
2 LEE, Date of Birth (DOB) January [REDACTED] (29 years old),
3 Social Security Account Number (SSAN) [REDACTED] describes
4 LEE as a 5'10" black male, and is consistent with the U.S.
5 Penitentiary visitor observed during the aforementioned
6 visit.

7 9. Based on the foregoing, I submit that there is
8 probable cause to believe that PATRICK LEE has violated Title
9 18, United States Code, Section 1791 (a).
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